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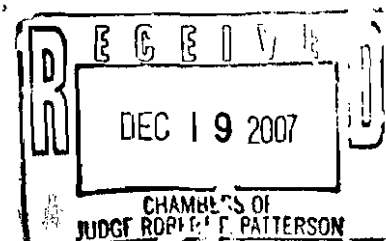
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December 19, 2007

VIA FACSIMILE ONLY

The Hon. Robert P. Patterson
United States District Judge
United States Courthouse
500 Pearl Street, Room 24A
New York, New York 10007

USDC SDNY
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Re: Toehl Harding v. David Naseman and Does 1-10,
inclusive - Case No. 1:07-cv-08767-RPP

Dear Judge Patterson:

MEMO ENDORSED

We send this letter by facsimile with prior permission from the Court.

Your Honor may recall that I was before the Court last week with an associate at Judd Burstein's office. The matter was adjourned to 2:00 P.M. today for Mr. Burstein to determine whether his firm would be appearing for the Plaintiff. In the interim, the Plaintiff has agreed to withdraw the action and we respectfully request that the Court reschedule the conference set for today to January 10th or the next available date at Your Honor's convenience. We fully expect that at that time there will be withdrawal documents filed with the Court.

Mr. Burstein's office has seen this letter and agrees to its contents.

We thank you in advance for your consideration.

Respectfully submitted,


Robert Stephan Cohen

RSC/msr

cc: Judd Burstein, Esq.

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*appellate granted
conference adjourned to 1/10/08
at 9:30 AM
So adjourned
Robert P. Patterson
USDC*